



UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY - REGION I

STATE OF CONNECTICUT
DEPARTMENT OF
ENVIRONMENTAL PROTECTION



January 31, 2011

CEE Associates Limited Partnership
c/o Andrew N. Davis, Ph.D.
Dewey & LeBoeuf LLP
225 Asylum Street
Hartford, CT 06103

RE: RCRA Corrective Action Construction Complete Determination (CA 550) at the former CEE Associates Limited Partnership facility, 80 Pickett District Rd., New Milford, CT, CTD044121697

Dear Dr. Davis:

The former CEE Associates Limited Partnership (CEE/InteliData) facility, located on an 8-acre parcel at 80 Pickett District Rd in New Milford, CT (the "Site"), has achieved the "construction complete" (CA 550) RCRA Corrective Action milestone. The Connecticut Department of Environmental Protection (CT DEP) and the United States Environmental Protection Agency (EPA) thank you for your efforts toward achieving this RCRA Corrective Action milestone. The construction complete milestone certifies that all components of the final remedy are in place and operating as designed, but final cleanup objectives may not have been met.

In addition to documenting the achievement of the construction complete milestone at the Site, this letter summarizes recent interim remedial measures completed, references previous RCRA Corrective Action and Closure milestones achieved, and sets out EPA's and CT DEP's expectations for institutional controls and for operation and maintenance of the remedy at the Site.

Summary of Interim Remedial Measures Completed at the former CEE/InteliData facility

Note: Information regarding earlier interim remedial measures and RCRA closures activities are available in EPA and CT DEP files.

Numerous interim remedial measures have been performed to address or prevent contamination at the Site, including the following:

- CEE/InteliData public noticed a Remedial Action Plan (RAP) in accordance with CT DEP requirements in 2001 for the start-up of a soil vapor extraction/air sparge system (SVE/AS) designed to address chlorinated volatile organic compounds (CVOCs) which are thought to have been released to soil and overburden groundwater from the former hazardous waste storage area and a stormwater vault. The SVE/AS system has been operating at the Site since February 2006.
- Soil removal was performed on August 27, 2010 on the north side of a Connecticut Light & Power-owned transformer, labeled as PCB content < 50 ppm, located in an enclosure

attached to the southwest corner of the facility building. The intent of the soil removal was to address the area surrounding a previous soil detection of 1,300 µg/kg PCBs (Aroclor 1254). Additional soil removal was completed in September 2010 to address the area surrounding an August 27, 2010 post-excavation sample which detected 2,200 µg/kg PCBs (Aroclor 1254). All final soil sample results showed PCBs below the Connecticut Remediation Standard Regulation (RSR) Residential Direct Exposure Criterion (RDEC) of 1,000 µg/kg.

Three loading docks exist at the facility: two on the south side and one on the north side of the building. Stormwater collected from the two loading docks on the south side is diverted to drywell VT-1. The loading dock on the north side is served by a drywell in the loading dock itself. Soil samples were collected below the loading docks and in the drywells and analyzed for volatile organic compounds (VOCs), metals, and Total Petroleum Hydrocarbons (TPH). The sample from VT-1 contained TPH in excess of RDEC. CEE/InteliData has vacuumed out the VT-1 drywell and prepared and sent a memorandum, dated July 8, 2010, copy provided to the EPA, outlining a maintenance program to the current owner and/or operator of the Site. The plan outlines necessary routine TPH detection, monitoring, and periodic maintenance that should be done in conjunction with the on-going maintenance program of the facility's septic system.

Previous RCRA Corrective Action and Closure Milestones Achieved

CEE/InteliData has previously achieved the following RCRA Corrective Action and RCRA Closure milestones on the corresponding dates:

- Current Human Exposures Under Control Environmental Indicator (CA 725) on September 20, 2004;
- Migration of Contaminated Groundwater Under Control Environmental Indicator (CA 750) on September 25, 2008;
- CT DEP and EPA determination that the Site does not pose a risk to ecological receptors in September 2009;
- CT DEP clean closure equivalency determination for the former RCRA-regulated hazardous waste disposal units, consisting of a wastewater lagoon and two sludge drying beds, on October 13, 2010.

Institutional Controls

To ensure that the remedy is adequately protective of human health, EPA and CT DEP expect that Environmental Land Use Restrictions (ELURs) pursuant to Section 22a-133q-1 of the Regulations of Connecticut State Agencies (RCSA) will be recorded for the following: 1) to limit the property to industrial/commercial use; and 2) to prevent disturbance of subsurface soil in the former Hazardous Waste Storage area where residual TPH and tetrachloroethylene (PCE)-contaminated soil remains on site. This area will be classified as "inaccessible" and "environmentally isolated." EPA and CT DEP expect that the ELURs will be recorded on the property deed by January 2012.

Remedy Operation and Maintenance

CEE/InteliData performs quarterly monitoring of seven (7) soil vapor extraction wells, semi-annual groundwater monitoring at four on-site groundwater monitoring wells and two nested wells located off-site adjacent to the Housatonic River. Monitoring is performed under the August 2010 Quality Assurance Project Plan (QAPP) which was submitted to and approved by EPA. CEE/InteliData anticipates that the soil vapor treatment system currently in place will need

to operate throughout 2011 until compliance with applicable criteria of the RSR. Once RSR compliance is achieved for groundwater, EPA and CT DEP expect that CEE/InteliData will perform one year of additional (semi-annual) post-compliance monitoring. EPA and CT DEP expect that CEE/InteliData will achieve full completion of remediation and monitoring by 2014, at which time they should be able to seek verification by a licensed environmental professional (LEP) to confirm that an investigation has been conducted in accordance with prevailing standards and guidelines and that remediation has been completed in accordance with the RSRs.

The CT DEP and EPA appreciate your work on this site. If you have any questions, please do not hesitate to contact Gennady Shteynberg (860) 424-3283 or Marilyn St. Fleur (617) 918-1617.

Sincerely,

Marilyn St. Fleur

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